

SECOND REGULAR SESSION

# SENATE BILL NO. 852

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GROSS.

Pre-filed December 1, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal sections 160.053, 160.054, and 160.055, RSMo, and to enact in lieu thereof one new section relating to enrollment of pupils in public schools.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 160.053, 160.054, and 160.055, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 160.053, to read as follows:

160.053. 1. If a school district maintains a kindergarten program, a child is eligible for admission to kindergarten and to the summer school session immediately preceding kindergarten, if offered, if the child reaches the age of five before the first day of August of the school year beginning in that calendar year. A child is eligible for admission to first grade if the child reaches the age of six before the first day of August of the school year beginning in that calendar year. **Each school district in the state, except as provided in subsection 2 of this section, may provide an assessment program to determine readiness of a child or groups of children whose fifth birthday for purposes of kindergarten and whose sixth birthday for purposes of grade one, will occur on or after August first but not later than September thirtieth of that year. Each school district may determine its own program of readiness assessment. The assessments may be administered each year, beginning with the 2005-06 school year, prior to the opening of the school term without charge. Only a child who by his or her assessment is found ready to enter kindergarten or to enter grade one that year shall receive gratuitous instruction and the school district shall receive state aid for the child.**

2. [Any kindergarten or grade one pupil beginning the school term and any pupil

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

beginning summer school prior to a kindergarten school term in a metropolitan school district or an urban school district containing the greater part of the population of a city which has more than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and subsequently transferring to another school district in this state in which the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.] **If a school district does not offer an assessment program to determine readiness, the parent or legal guardian of a child whose fifth birthday, for purposes of kindergarten and whose sixth birthday for purposes of grade one, will occur on or after August first but not later than September thirtieth of that year, may request an assessment to determine readiness. The school district, prior to the opening of the school term and without charge, shall assess the child's readiness for entry into school. Any child who by his or her assessment is found ready to enter kindergarten or to enter grade one shall be allowed to do so.**

3. Any child assessed ready for kindergarten and who subsequently completes the kindergarten year shall not be required to meet the [age] **assessment** requirements of a district for entrance into grade one.

4. The provisions of **subsections 1 and 2** of this section relating to **assessing for readiness to attend kindergarten and to** kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.

[160.054. 1. Notwithstanding any provisions of sections 160.051 and 160.053, to the contrary, beginning with the 1997-98 school year, all metropolitan school districts, except as provided in subsection 2 of this section, may establish and enforce a regulation which requires that a child shall have attained the age of five for purposes of kindergarten and summer school prior to a kindergarten school term, and the age of six for purposes of grade one, on or before any date between August first and October first of that year. The school district shall receive state aid for any child admitted to kindergarten, summer school prior to kindergarten, or grade one pursuant to this section, notwithstanding the provisions of section 160.051.

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in a metropolitan school district and subsequently transferring to another school district in this state in which the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year in a metropolitan school district shall not be required to meet the minimum age requirements of another school district in this state for entrance into grade one.

4. The provisions of subsections 1 and 2 of this section, relating to kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.]

[160.055. 1. Notwithstanding any provisions of sections 160.051 and 160.053, to the contrary, beginning with the 1997-98 school year, all urban school districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants, except as provided in subsection 2 of this section, may establish and enforce a regulation which requires that a child shall have attained the age of five for purposes of kindergarten and summer school prior to a kindergarten school term, and the age of six for purposes of grade one, on or before any date between August first and October first of that year. The school district shall receive state aid for any child admitted to kindergarten, summer school prior to kindergarten, or grade one pursuant to this section, notwithstanding the provisions of section 160.051.

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in an urban school district in this state containing the greater part of the population of a city which has more than three hundred thousand inhabitants and subsequently transferring to another school district in this state in which the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year in an urban school district containing the greater part of the population of a city which has more than three hundred thousand inhabitants shall not be required to meet the minimum age requirements of another school district in this state for entrance into grade one.

4. The provisions of subsections 1 and 2 of this section, relating to kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.]